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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,580	09/21/2001	Atsushi Kaneko	005306.P042	5430

7590 10/19/2005	EXAMINER
Lance A. Termes	VO, TED T

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ART UNIT	PAPER NUMBER
2191	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.

09/960,580</td><td>Applicant(s)

KANEKO ET AL.</td><td></td></tr>
<tr><td>Examiner

Ted T. Vo</td><td>Art Unit

2191</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 August 2005</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-40</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-40</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>21 September 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to the amendment filed on 08/08/05.

- Claims 1, 13, 14-15, 27-28, 38-39 are currently amended. Claim 40 is added.

- Claims 1-40 remain pending in this application.

Response to Arguments

2.   Applicants' arguments to Claim 1-39 and newly added claim 40 have been fully considered.

By amending the limitation "build process" into "build application",

Applicants argue:

The flow diagram of Figure 2 is not a build application (Remarks: p. 11), and there is no indication that Figure 2 presents: "an executable build application, stored in the memory of the computer system, and configured, when executed by the processor, to generate a language-specific build" (Remarks: p. 12).

Examiner respectfully responds:

As seen from the left top in Figure 2, "Process flow for developing an <u>internationalized</u> <u>application</u>" ("*a language-specific build*"). The Figure 2 is a build and test process for internationalized applications ("*a language-specific build*"). In the computer art, a process such as the process in Figure 2 is done/controlled by <u>software elements</u>. This process is done in computer system for "I118N", and represents a computer "application" run by software elements behind. That indicates, "Build Application". It should be noted that Applicants' new amended limitation, "build application", amending over the old/deleted limitation, "build process" does not attempt to make or to point out the patentable novelty, but rather expresses an alternative term (See MPEP 714.04).

Nevertheless, software application only automates a process. It should be noted that a program or an application that is used to replace a manual activity would not be patentable over such a manual

activity (See In re Venner, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958)) (automatic

means/manual activity).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or
in public use or on sale in this country, more than one year prior to the date of application for
patent in the United States.

4.   Claims 1-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Robinson et al., "New

Approaches to Creating and Testing Internationalized Software", 11-1998.

Given the broadest reasonable interpretation of followed claims in light of the specification.

As per Claim 1: Robinson discloses: "*A method, comprising:*

integrating at least one pseudo localization utility application with a build application (See Page

31, Figure 2; it is a build process in a computer system: "*build application*"; see page 30, Figure 1,

"English", "French": '*at least one pseudo localization utility application*');

executing the at least one pseudo localization utility application to generate pseudo-translated

locale-dependant code, wherein executing the at least one pseudo localization utility application includes:

(a) retrieving locale-dependant code from at least one storage location (See Figure 1, Solution 1

inputted into Traditional Process Flow);

(b) altering an appearance of the locale-dependant code (See Figure 1, the box "Translate the

Message Catalog into Multiple Languages", "Test I18N code Using Default Message Catalog": *locale-*

dependant code, See Figures 4 and 5, pages 32 and 33, respectively: *altering an appearance;* see page

32, Solution 1); *and*

(c) storing the altered locale-dependant code in at least one second storage location (See Figure

1, the box "Test I18N code Using <u>Translated Message Catalog</u>": *in at least one second storage location);*

and generating a pseudo-language build with the pseudo-translated locale-dependant code." (See Figure

5: *a pseudo-language build,* see page 32, Solution 1).

<u>As per Claim 2</u>: Robinson discloses: *"The method of Claim 1, further comprising:*

    testing the pseudo-language build; and

    identifying at least one internationalization bug." (See page 30, right column, Process Flow:

indentations 2 and 3).

<u>As per Claim 3</u>: Robinson discloses: "The method of Claim 2, wherein the internationalization bug

comprises a hard-coded string, a hard-coded format, or a hard-coded reference to a translation" (See

page 33, left column, Challenge 2).

<u>As per Claim 4</u>: Robinson discloses: "The method of Claim 2, wherein identifying the at least one

internationalization bug comprises discovering unaltered locale-dependant code in the user-interface"

(See page 33, right column, Challenge 3, the last 3 steps).

<u>As per Claim 5</u>: Robinson discloses: "The method of Claim 1, wherein altering the appearance of the

locale-dependant code comprises adding at least one prefix character to the locale-dependant code" (See

page 34, Figures 6 and 7: discussing a Japanese preceding string).

<u>As per Claim 6</u>: Robinson discloses: "The method of Claim 5, wherein the at least one prefix character

comprises at least one multi-byte character" (See page 34, Figures 6 and 7: a Japanese character

comprises at least one multi-byte character).

<u>As per Claim 7</u>: Robinson discloses: "The method of Claim 5, wherein the at least one prefix character

comprises at least one right-to-left character" (See page 34: Solution 3: language independent test, <u>target</u>

<u>language</u>: Noted that a target language depends on its writing style: some target language having writing

style from right to left).

<u>As per Claim 8</u>: Robinson discloses: "The method of Claim 5, wherein the at least one prefix character

comprises a prefix string including at least one multi-byte character and at least one right-to-left character"

(See rationale of Claim 7 and 8 above).

As per Claim 9: Robinson discloses: "The method of Claim 1, wherein the at least one pseudo localization utility application comprises at least one server message specific utility, and the locale-dependant code comprises at least one server message" (See page 33, right column, Challenge 3, the last 3 steps, and referring to "test case").

As per Claim 10: Robinson discloses: "The method of Claim 1, wherein the at least one pseudo localization utility application comprises at least one repository string specific utility, and the locale-dependant code comprises at least one repository string" (See page 30, Figure 1: "Help", "Aide").

As per Claim 11: Robinson discloses: "The method of Claim 1, wherein the at least one pseudo localization utility application comprises at least one resource file specific utility, and the locale-dependant code comprises at least one resource file" (See page 30, Figure 1: "Help menu" in English and French).

As per Claim 12: Robinson discloses: "*The method of Claim 1, wherein the at least one pseudo localization utility application comprises at least one utility application* (Figures 8 and 9: HTML version) *capable of retrieving or altering at least one element of user-interface code of a type selected from a group, including; a server message, a repository string, a static UI file, and a seed data file*" (Discussed in Figure 2; and see Figures 7 and 8, buttons in English and Japanese characters).

As per Claim 13: Robinson discloses: "*The method of Claim 1, wherein the build process comprises a database build application* (software/programming elements that implement Figure 2), *the at least One pseudo localization utility application comprises at least one seed data file specific utility, and the locale-dependant code comprises at least one seed data file*" (See page 35, Figures 8 and 9: "HTML version of an English help page and HTML version of a Japanese Help page).

As per Claim 14: Robinson discloses: "The method of Claim 1, wherein the build process comprises a software build application" (Figure 2; and particularly, page 30: "Developing Internationalized Software").

As per Claim 40: Robinson discloses: The method of claim 1, wherein said executing the at least one pseudo localization utility application is in response to a determination in the build application to build a pseudo-language build (See Figure 2, Figure is a process in a computer system, this process and a computer processor have means of executing means because Robinson presents 'localization utility' shown as international characters in Figures 6-9).

Claims 15-28 and 29-39 are the article of manufacturing and the system that perform the method addressed in Claims 1-14, 40. Therefore, their functionality is the same and corresponds to the Claims 1-14, 40.

As per Claims 15-28: See rationale respectively of Claims 1 to 14 above,

As per Claims 29-39: See rationale respectively of Claim 1, 5-14 above.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the Central Facsimile number **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ted T. Vo
Primary Examiner
Art Unit 2191
October 14, 2005